

(b) A separate license shall be granted in both speech-language pathology and audiology. An applicant may be granted both licenses upon successful completion of the requirements for both licenses.

1399.151. (a) An application for a license as a speech-language pathologist or audiologist shall be filed with the board at its principal office.

(b) Every application shall be typed or written in ink, signed under the penalty of perjury and accompanied by the appropriate application fee and by such evidence, statements, or documents as therein required.

(c) The applicant shall be notified, in writing, of the results of the evaluation of the application for license if the application is rejected.

(d) An applicant shall be deemed to have abandoned his or her licensure application if the requirements for licensure are not completed within two years from the date on which application was filed unless the applicant has requested extension by the board. An application submitted subsequent to an abandoned application shall be treated as a new application.

EDUCATIONAL REQUIREMENTS

2532.2. (a) Possess at least a master's degree in speech-language pathology or audiology from an educational institution approved by the board or qualifications deemed equivalent by the board.

1399.152. An "institution approved by the board" as used in Section 2532.2 of the code includes:

(a) Educational institutions accredited by the Educational Standards Board of the American Speech-Language-Hearing Association; or

(b) Educational institutions listed in the current Guide to Graduate Education in Speech Pathology and Audiology published by the American Speech-Language-Hearing Association which (1) employ at least one full-time faculty member who holds a doctorate degree who is licensed or has qualifications deemed equivalent as defined in Section 1399.159 in the field for which the applicant is seeking licensure (speech-language pathology or audiology) and (2) employ at least one full-time, or the equivalent in the field, staff instructor who holds at least a master's degree in the field for which the applicant is seeking licensure (speech-language pathology or audiology), and (3) have awarded six or more graduate degrees (speech-language pathology or audiology) during the three years preceding application for such a listing.

In its discretion the board may approve after its review any educational institution which is not accredited under one of the above-mentioned criteria.

1399.152.1 (a) As used in Section 2532.2, subd. (a) of the code, "qualifications deemed equivalent by the board" means in lieu of a master's degree an applicant may present evidence of completion of at least 30 semester units acceptable towards a master's degree while registered as a graduate student in a degree program in speech-language pathology and/or audiology. At least 24 of the required semester units shall be completed at a single educational institution and shall be in speech-language pathology or audiology.

(b) Credits for extension courses shall be accepted toward the unit requirements of Section 2532.2, subd. (b) of the code only if they are a part of the regular graduate curriculum and are accepted toward a graduate degree by the educational institution attended.

(c) The "successful completion" of a course as these terms are used in Section 2532.2, subd. (b) of the code means the student earned a grade of "C" or better or its equivalent.

(d) If the content of a course is not adequately depicted within its title, the board in its discretion may require additional course descriptions.

TRANSCRIPTS

2532.2. (b) Submit transcripts from an educational institution approved by the board evidencing the successful completion of at least 60 semester units of courses related to the normal development, function, and use of speech, hearing, and language; and courses that provide information about, and training in, the management of speech, hearing, and language disorders. At least 24 of the required 60 semester units shall be related to disorders of speech, voice, or language for speech-language pathology applicants or to disorders of hearing and the modification of communication disorders involving speech and language resulting from hearing disorders for audiology applicants. These 60 units do not include credit for thesis, dissertation, or clinical practice.

CLINICAL PRACTICUM

2532.2. (c) Submit evidence of the satisfactory completion of supervised clinical practice with individuals representative of a wide spectrum of ages and communication disorders. The board shall establish by regulation the required number of clock hours, not to exceed 300 clock hours, of supervised clinical practice necessary for the applicant.

The clinical practice shall be under the direction of an educational institution approved by the board.

1399.152.2. (a) Supervised clinical experience within the meaning of Section 2532.2, subd. (c) of the code shall be in the area for which licensure is sought. Speech-language pathology clinical experience shall be under the supervision of a licensed speech-language pathologist or a speech-language pathologist having qualifications deemed equivalent by the board. Audiology clinical

experience shall be under the supervision of a licensed audiologist or an audiologist having qualifications deemed equivalent by the board. "Qualifications deemed equivalent by the board" includes a supervisor who holds a Certificate of Clinical Competence issued by the American Speech-Language-Hearing Association in the field for which licensure is sought if the supervised clinical experience is obtained in a setting which is exempt from the licensure requirements of the Act or out of state.

(b) Two hundred seventy-five (275) clock hours of clinical experience shall be required for licensure as a speech-language pathologist or audiologist for applicants who completed their graduate program on or before December 31, 1992.

(c) Three hundred (300) clock hours of clinical experience in three (3) different clinical settings shall be required for licensure as a speech-language pathologist or audiologist for applicants who completed their graduate program after December 31, 1992.

(d) For either a speech-language pathology or audiology major, twenty-five (25) hours of aural rehabilitation may be supervised by either a speech-language pathologist or audiologist as provided in subsection (a).

(e) Another twenty-five (25) hours of the required clinical experience may be in the field other than that for which the applicant is seeking licensure (speech-language pathology for an audiologist or audiology for a speech-language pathologist) if such clinical experience is under a supervisor who is qualified in the minor field as provided in subsection (a).

REQUIRED PROFESSIONAL EXPERIENCE (R.P.E.)

2532.2. (d) Submit evidence of no less than 36 weeks of satisfactorily completed supervised professional full-time experience or 72 weeks of professional part-time experience obtained under the supervision of a licensed speech-language pathologist or audiologist or a speech-language pathologist or audiologist having qualifications deemed equivalent by the board. This experience shall be evaluated and approved by the board. Any experience to be obtained in a setting which is not exempt from the licensure requirements under Section 2530.5 shall be approved in advance by the board. The required professional experience shall follow completion of the requirements listed in subdivisions (a), (b), and (c). Full-time is defined as at least 36 weeks in a calendar year and a minimum of 30 hours per week. Part-time is defined as a minimum of 72 weeks and a minimum of 15 hours per week.

A speech-language pathologist or audiologist who holds a license from another state or territory of the United States or who holds equivalent qualifications as determined by the board and who has completed no less than one year of full-time continuous employment as a speech-language pathologist or audiologist within the past three years is exempt from the supervised professional experience in subdivision (d).

1399.153. As used in this article, the term:

(a) "Required professional experience" or "RPE" means the supervised practice of speech-language pathology or audiology for the purpose of meeting the requirements for licensure in accordance with Sections 2530.5, subdivision (f), and 2532.2, subdivision (d), of the code and these regulations.

(b) "Required professional experience supervisor" or "RPE supervisor" means a person who is licensed as a speech-language pathologist or audiologist, or has qualifications deemed equivalent by the board. "Qualifications deemed equivalent by the board" include a supervisor who holds a Certificate of Clinical Competence issued by the American Speech-Language-Hearing Association in the field for which licensure is sought if the required professional experience is obtained in a setting which is exempt from the licensure requirements of the Act or out of state.

(c) "Required professional experience applicant" or "RPE applicant" means a person who has complied with Section 1399.153.2 of these regulations.

1399.153.1. (a) RPE shall provide the applicant with broad clinical experience in evaluation, habilitation and rehabilitation of patients.

(b) Activities which consist of academic teaching, clinical supervision, research or administration shall not be creditable toward the RPE requirement. A maximum of 5% per week of hearing screening services provided by an RPE applicant in speech-language pathology shall be creditable toward the experience. Only those activities which directly concern the management of specific patients shall be creditable toward that requirement.

1399.153.2. (a) All persons desiring to begin their required professional experience shall file an RPE application with the board as provided in Section 1399.154. No person shall commence any RPE in a setting in which licensure is required in the Act until his or her RPE application is approved by the board. Upon receipt of the RPE application, the board will immediately review the RPE plan and notify the applicant of its approval or disapproval. As soon as possible thereafter, the board will review the applicant's credentials and notify the applicant as to the approval of his or her credentials for licensure.

(b) All RPE applicants shall submit at the time of filing the RPE application a non-refundable fee of \$35.00 which is applicable to the application fee required in Section 1399.186.

(c) Any experience gained prior to the approval of the RPE application will not be counted toward licensure, unless the RPE applicant is practicing in a setting exempt under Section 2530.5 of the code, or in another state.

(d) Application under this section shall constitute registration of the RPE applicant under Section 2530.5 of the code.

1399.153.3. An RPE supervisor's responsibilities shall include, but are not limited to:

(a) Legal responsibility for the health, safety and welfare of the patients treated by the RPE applicant.

(b) Insuring that the extent, kind, and quality of functions performed by an RPE applicant under the supervisor's supervision is in compliance with these regulations and is consistent with the applicant's education and training.

(c) Insuring that such supervision consists of direct monitoring for a minimum of eight hours per month for each full-time RPE applicant and four hours per month for each part-time applicant.

(d) "Direct monitoring" of the applicant may consist of the personal observation of the following:

(1) evaluation and assessment procedures;

(2) treatment procedures;

(3) record keeping, evaluation or assessment reports, correspondence, plans for management, and summaries of case conferences;

(4) participation in case conferences.

At least 50% of the supervisor's observation shall be of the RPE applicant's evaluation, assessment and treatment procedures.

(e) Reviewing and evaluating the RPE applicant's performance on a monthly basis for the purpose of improving his or her professional expertise. The RPE supervisor shall discuss the evaluations with the applicant and maintain written documentation of these evaluations and reviews. The written evaluations shall be signed by both the RPE supervisor and the RPE applicant. If the supervisor determines the applicant is not minimally competent for licensure, the applicant shall be so notified orally and in writing. A written statement documenting the basis for the supervisor's determination shall be submitted with the final verification of experience to the board.

(f) Reviewing and countersigning all evaluation and assessment reports, treatment plans, progress and discharge reports drafted by the RPE applicant.

1399.153.4. An RPE supervisor shall not supervise more than three (3) RPE applicants. The board may authorize more than three supervisees if, in its discretion, the supervisor demonstrates that the public health and safety would not be jeopardized and that he or she can adequately supervise more than three RPE applicants while maintaining the standards of experience required in this article.

1399.153.5. If, during the required professional experience, the RPE applicant is supervised by two or more RPE supervisors, then the supervisor having the most frequent contacts with the applicant shall be the responsible supervisor for the purpose of these regulations. That supervisor shall consult with any other RPE supervisors when evaluating the applicant's performance.

1399.153.6. No RPE supervisor may accept any remuneration or other consideration from an RPE applicant for supervision of the applicant.

1399.153.7. No RPE applicants shall supervise aides or students receiving supervised clinical experience.

1399.153.8. (a) In order for the RPE supervisor to evaluate the RPE for verification to the board, each supervisor shall evaluate the following activities of the RPE applicant:

(1) evaluation and assessment procedures;

(2) treatment procedures;

(3) record keeping, evaluation and assessment reports, correspondence, plans for management and summaries of case conferences;

(4) participation in case conferences;

(5) professional meetings and publications.

(b) The monitoring of audio and video tape recordings is an acceptable method of evaluation provided that such monitoring shall not be substituted for direct observation and supervision of the RPE applicant.

1399.153.9. If the supervision of the applicant is terminated prior to the completion of the RPE or if there is a change in the number of hours per week in which the RPE applicant is employed, the RPE supervisor shall notify the board in writing of such facts within ten (10) days.

TEMPORARY LICENSE: REQUIRED PROFESSIONAL EXPERIENCE

2532.7. (a) Upon approval of an application filed pursuant to Section 2532.1, and upon payment of the fee prescribed by Section 2534.2, the board may issue a temporary license for a period to be determined by the board to an applicant who is obtaining the required professional experience specified in subdivision (d) of Section 2532.2.

(b) A temporary license shall terminate upon notice thereof by certified mail, return receipt requested, if it is issued by mistake or if the application for permanent license is denied.

(c) Upon written application, the board may reissue a temporary license for a period to be determined by the board to an applicant who is obtaining the required professional experience specified in subdivision (d) of Section 2532.2.

EXAMINATION

2532.2 (e) Pass an examination or examinations approved by the board. The board shall determine the subject matter and scope of the examinations and may waive the examination upon evidence that the applicant has successfully completed an

examination approved by the board. Written examinations may be supplemented by such oral examinations as the board shall determine. An applicant who fails his or her examination may be reexamined by a subsequent examination upon payment of the reexamination fee required by this chapter.

1399.152.3. (a) Applicants shall be deemed to have satisfied the examination requirements of Section 2532.2(e) of the code if they have taken the National Examination in Speech-Language Pathology or the National Examination in Audiology administered by the Educational Testing Service of Princeton, New Jersey, within five years preceding the date on which their application is filed with the board and have achieved a score on such examination which is acceptable to the board.

TEMPORARY LICENSURE

2532.3. (a) Upon approval of an application filed pursuant to Section 2532.1, and upon the payment of the fee prescribed by subdivision (g) of Section 2534.2, the board may issue a temporary license for a period of six months from the date of issuance to a speech-language pathologist or audiologist who holds an unrestricted license from another state or territory of the United States or who holds equivalent qualifications as determined by the board and has made application to the board for a license in this state.

(b) A temporary license shall terminate upon notice thereof by certified mail, return receipt requested, if it is issued by mistake or if the application for permanent licensure is denied.

(c) Upon written application, the board may reissue a temporary license to any person who has applied for a regular renewable license pursuant to Section 2532.1, and who, in the judgement of the board, has been excusably delayed in completing his or her application or the minimum requirements for a regular license. The board may not reissue a temporary license more than twice to any one person.

DENIAL OF LICENSURE

475 (a) Notwithstanding any other provisions of this code, the provisions of this division shall govern the denial of licenses on the grounds of:

(1) Knowingly making a false statement of material fact, or knowingly omitting to state a material fact, in an application for a license.

(2) Conviction of a crime.

(3) Commission of any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another.

(4) Commission of any act which, if done by a licensee of the business or profession in question, would be grounds for suspension or revocation of license.

(b) Notwithstanding any other provisions of this code, the provisions of this division shall govern the suspension and revocation of licenses on grounds specified in paragraphs (1) and (2) of subdivision (a).

(c) A license shall not be denied, suspended, or revoked on the grounds of a lack of good moral character or any similar ground relating to an applicant's character, reputation, personality, or habits.

CITATION AND FINE

1399.159. (a) The executive officer of the board is authorized to determine when and against whom a citation will be issued and to issue citations containing orders of abatement and/or fines for violations by licensed speech-language pathologists and audiologists of the statutes and regulations referred to in this article.

(b) Each citation shall be in writing and shall describe with particularity the nature and facts of each violation specified in the citation, including a reference to the statute or regulation alleged to have been violated.

(c) The citation may contain an assessment of an administrative fine, an order of abatement fixing a reasonable time for abatement of the violation, or both.

(d) The citation shall inform the cited person of the right to a citation review conference concerning the matter and of the right to an administrative hearing.

(e) The citation shall be served upon the licensee personally or by certified mail, return receipt requested.

1399.159.1. (a) The executive officer shall consider the factors listed in subdivision (b)(3) of Section 125.9 of the code in determining the amount of the fine to be assessed or the terms of the order of abatement in any citation.

(b) The executive officer may, in his or her discretion, assess a fine not to exceed \$2,500 for each investigation, and issue an order of abatement for any violation of the code or regulations governing the practices of speech-language pathology and audiology.

1399.159.2. (a) The executive officer of the board may issue citations, in accordance with Section 148 of the code, against any person, partnership, corporation, association or other group however organized who is performing or who has performed services for which licensure is required under the act or regulations adopted pursuant to the act.

(b) Each citation issued under this section shall contain an order of abatement.

(c) The executive officer, in his or her discretion, may assess a fine for the unlicensed activity in accordance with subdivision (b)(3) of Section 125.9 of the code.

- (d) Each citation shall be in writing and shall describe with particularity the nature and facts of each violation specified in the citation, including a reference to the statute or regulation alleged to have been violated.
- (e) The citation shall be served upon the person personally or by certified mail, return receipt requested.
- (f) The sanction authorized under this section shall be separate from and in addition to any other civil or criminal remedy.

1399.159.3. (a) Orders of abatement may be extended for good cause. If a cited person who has been issued an order of abatement is unable to complete the correction within the time set forth in the citation because of conditions beyond his/her control after the exercise of reasonable diligence, then he/she may request from the executive officer an extension of time within which to complete the correction. Such a request shall be in writing and shall be made within the time set forth for abatement.

(b) If a citation is not contested, or if the citation is appealed and the person cited does not prevail, failure to abate the violation or to pay the assessed fine within the time allowed shall constitute a violation and a failure to comply with the citation or order of abatement.

(c) Failure to timely comply with an order of abatement or pay an assessed fine may result in disciplinary action being taken by the board or other appropriate judicial relief being taken against the person cited.

(d) If a fine is not paid after a citation has become final, the fine shall be added to the cited person's license renewal fee. A license shall not be renewed without payment of the renewal fee and fine.

1399.159.4. (a) In addition to requesting a hearing provided for in subdivision (b) (4) of Section 125.9 of the code, the person cited may, within fourteen (14) calendar days after service of the citation, notify the executive officer in writing of his or her request for an informal citation review conference with the executive officer regarding the acts charged in the citation. The time allowed for the request shall begin the first day after the citation has been served.

(b) The executive officer shall hold, within thirty (30) calendar days from the receipt of the request, an informal citation review conference with the person cited or his or her legal counsel or authorized representative.

(c) At the conclusion of the informal citation review conference, the executive officer may affirm, modify or dismiss the citation, including any fine assessed or order of abatement issued. The executive officer shall state in writing the reasons for his or her action and serve, as provided in subsection (e) of Section 1399.159, a copy of his or her findings and decision to the person cited within fourteen (14) calendar days from the date of the informal citation review conference. This decision shall be deemed to be a final order with regard to the citation issued, including the fine assessed and the order of abatement.

(d) The person cited does not waive his or her request for a formal hearing to contest a citation by requesting an informal citation review conference after which the citation is affirmed by the executive officer. If the citation is dismissed after the informal citation review conference, the request for a hearing on the matter of the citation shall be deemed to be withdrawn. If the citation, including any fine assessed or order of abatement, is modified, the citation originally issued shall be considered withdrawn and a new citation issued. If the cited person requests a hearing for the subsequent citation, he or she shall request the hearing within thirty (30) calendar days of the date the subsequent citation is issued in accordance with subdivision (b) (4) of Section 125.9 of the code.

CONTINUING PROFESSIONAL DEVELOPMENT

2532.6. (a) The Legislature recognizes that the education and experience requirements of this chapter constitute only minimal requirements to assure the public of professional competence. The Legislature encourages all professionals licensed and registered by the board under this chapter to regularly engage in continuing professional development and learning that is related and relevant to the professions of speech-language pathology and audiology.

(b) On and after January 1, 2001, and until January 1, 2002, the board shall not renew any license or registration pursuant to this chapter unless the applicant certifies to the board that he or she has completed, after April 12, 1999, and prior to his or her renewal date in 2001, not less than the minimum number of continuing professional development hours established by the board pursuant to subdivision (c) for the professional practice authorized by his or her license. On and after January 1, 2002, the board shall not renew any license or registration pursuant to this chapter unless the applicant certifies to the board that he or she has completed in the preceding two years not less than the minimum number of continuing professional development hours established by the board pursuant to subdivision (c) for the professional practice authorized by his or her license or registration.

(c) (1) The board shall prescribe the forms utilized for and the number of hours of required continuing professional development for persons licensed or registered under this chapter.

(2) The board shall have the right to audit the records of any applicant to verify the completion of the continuing professional development requirements.

(3) Applicants shall maintain records of completion of required continuing professional development coursework for a minimum of two years and shall make these records available to the board for auditing purposes upon request.

(d) The board shall establish exceptions from the continuing professional development requirements of this section for good cause as defined by the board.

(e) (1) The continuing professional development services shall be obtained from accredited institutions of higher learning, organizations approved as continuing education providers by either the American Speech-Language Hearing Association or the American Academy of Audiology, the California Medical Association's Institute for Medical Quality Continuing

Medical Education Program, or other entities or organizations approved as continuing professional development providers by the board, in its discretion.

(2) The continuing professional development services offered by these entities may, but are not required to, utilize pretesting and posttesting or other evaluation techniques to measure and demonstrate improved professional learning and competency.

(3) An accredited institution of higher learning, an organization approved as continuing education providers by either the American Speech-Language Hearing Association or the American Academy of Audiology, and the California Medical Association's Institute for Medical Quality Continuing Education Program shall be exempt from any application or registration fees that the board may charge for continuing education providers.

(f) The board, by regulation, shall fund the administration of this section through professional development services provider and licensing fees to be deposited in the Speech-Language Pathology and Audiology Board Fund. The fees related to the administration of this section shall be sufficient to meet, but shall not exceed, the costs of administering the corresponding provisions of this section.

(g) The continuing professional development requirements adopted by the board shall comply with any guidelines for mandatory continuing education established by the Department of Consumer Affairs.

1399.160. As used in this article:

(a) A continuing professional development "course" means a form of systematic learning at least one hour (60 minutes) in length including, but not limited to, academic studies, extension studies, lectures, conferences, seminars, workshops, and self-study courses.

(b) A "self-study course" means a form of systematic learning performed at a licensee's residence, office, or other private location including, but not limited to, viewing of videotapes, and listening to audiotapes, or participating in "self-assessment testing" (open-book tests that are completed by the licensee, submitted to the provider, graded, and returned to the licensee with correct answers and an explanation of why the answer chosen by the provider was the correct answer). A self-study course does not mean a course taken at an accredited university towards a degree.

(c) A continuing professional development "provider" means an accredited institution of higher learning, a nonprofit education association, a nonprofit professional association, an individual, or other organization that offers continuing professional development courses and meets the requirements contained in this article.

(d) A "renewal period" means the two-year period that spans from a license's expiration date to the license's next expiration date.

(e) An "operational plan" means a detailed, written description which contains information that explains how the provider intends to conduct business, advertise its courses, provide educational services, and meet the minimum standards established in this article.

(f) Professional development" shall have the same meaning and effect as the term "continuing education" when interpreting the provisions in this Article.

1399.160.1. (a) Except as provided in Section 1399.160.2, a licensee whose license expires in the year 2001, shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed twelve (12) hours of continuing professional development courses.

(b) Except as provided in Section 1399.160.2, a licensee who holds both a speech-language pathology license and an audiology license that expire in the year 2001, shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed eight (8) hours of continuing professional development courses for each license for a total of sixteen (16) hours.

(c) Except as provided in Section 1399.160.2, a licensee shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed twenty-four (24) hours of continuing professional development courses.

(d) Except as provided in Section 1399.160.2, a licensee who holds both a speech-language pathology license and an audiology license, shall certify in writing, when applying for license renewal, by signing a statement under penalty of perjury that during the preceding renewal period the licensee has completed sixteen (16) hours of continuing professional development courses for each license for a total of thirty-two (32) hours.

(e) A licensee who falsifies or makes a material misrepresentation of fact when applying for license renewal or who cannot verify the completion of the continuing professional development requirement by producing a record of course completion, upon request by the board, is subject to disciplinary action under Section 2533(e) of the Code.

1399.160.3. (a) A licensee, whose license expires in the year 2001, shall accrue at least twelve (12) hours of continuing professional development courses as defined in Section 1399.160.4. A licensee may accrue no more than four (4) hours of continuing professional development courses through self-study courses during this renewal period.

(b) A licensee who holds both a speech-language pathology license and an audiology license that expire in the year 2001, shall accrue at least eight (8) hours of continuing professional development courses as defined in Section 1399.160.4. for each license. A licensee may accrue no more than two (2) hours of continuing professional development courses through self-study courses for each license.

(c) A licensee shall accrue at least twenty-four (24) hours during a single renewal period of continuing professional development courses as defined in Section 1399.160.4. A licensee may accrue no more than eight (8) hours of continuing professional development courses through self-study courses during a single renewal period.

(d) A licensee who holds both a speech-language pathology license and an audiology license, shall accrue at least sixteen (16) hours of continuing professional development courses as defined in Section 1399.160.4 for each license. A licensee may accrue no more than five (5) hours of continuing professional development courses through self-study courses for each license.

(e) If a licensee teaches a course offered by a provider registered with the board, the licensee may claim credit for the course only one time during a single renewal period, receiving the same amount of hours of continuing professional development credit as a licensee who attended the course.

(f) A licensee may not claim the same course more than once during a single renewal period for hours of continuing professional development.

(g) A licensee who takes a course as a condition of probation resulting from disciplinary action by the board may not apply the course as credit towards the continuing professional development.